

NO. 24598

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

TERESITA GARCIA, Plaintiff-Appellant

vs.

DAVID BRUDERER, Defendant-Appellee

and

JOHN DOES 1-10, JANE DOES 1-10, DOE CORPORATIONS 1-10,
DOE PARTNERSHIPS 1-10, DOE JOINT VENTURES 1-10,
DOE GOVERNMENTAL ENTITIES 1-10, Inclusive, Defendants

APPEAL FROM THE THIRD CIRCUIT COURT
(CIV. NO. 00-1-0235)

ORDER DISMISSING APPEAL
(By: Moon, C.J., Levinson,
Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that the September 24, 2001 order granting sanctions under HRCF Rule 11 is not immediately appealable by plaintiff Garcia, who can seek review of the order on appeal from a final judgment in Civil No. 00-1-0235. See Siangco v. Kasadate, 77 Hawai'i 157, 883 P.2d 78 (1994). The September 24, 2001 order, which imposes sanctions against Garcia's attorney, is appealable by the attorney, Phillip Carey, but the September 28, 2001 notice of appeal did not name Carey as a party on appeal. See HRAP 3(c); Stewart Properties, Inc. v. Brennan, 8 Haw. App. 431, 435, 807 P.2d 606, 608 (1991); Gold v. Harrison, 88 Hawai'i 94, 103-04, 962 P.2d 353, 362-63 (1998). Thus, we lack jurisdiction over this appeal. Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, January 16, 2002.